

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL ACTION NO. 2:02-00110

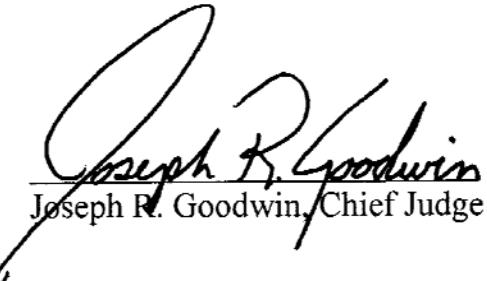
TROY WILLIAMS,

Defendant.

MEMORANDUM OPINION & ORDER

Pending before the court is the defendant's Motion for a Certificate of Appealability [Docket 197]. *See* 28 U.S.C. § 2253(c). A certificate will not be granted unless there is "a substantial showing of the denial of a constitutional right." *Id.* § 2253(c)(2). The standard is satisfied only upon a showing that reasonable jurists would find that any assessment of the constitutional claims by this court is debatable or wrong and that any dispositive procedural ruling is likewise debatable. *Miller-El v. Cockrell*, 537 U.S. 322, 336-38 (2003); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Rose v. Lee*, 252 F.3d 676, 683-84 (4th Cir. 2001). The court concludes that the governing standard is not satisfied in this instance. Accordingly, the court **DENIES** a certificate of appealability. The court **DIRECTS** the Clerk to send a copy of this Order to defense counsel, the United States Attorney, the United States Probation Office, and the United States Marshal.

ENTER: January 19, 2010



Joseph R. Goodwin
Joseph R. Goodwin, Chief Judge